



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,670	04/22/2004	Takayuki Watanabe	9333/374	6834
757	7590	07/10/2006	EXAMINER	
BRINKS HOFER GILSON & LIONE P.O. BOX 10395 CHICAGO, IL 60610				BEAULIEU, YONEL
ART UNIT		PAPER NUMBER		
		3661		

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/829,670	WATANABE, TAKAYUKI	
	Examiner	Art Unit	
	Yonel Beaulieu	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 April 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,3-6,11 and 13-16 is/are rejected.
- 7) Claim(s) 2,7-10,12 and 17-20 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 April 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/22/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 3 – 6, 8, 11, and 13 – 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Ando (US 6 615 134 B2).

Regarding claims 1 and 11, Ando teaches a navigation system and method comprising: searching, using a search unit across an image database by using input image data (from a user), as a first search key, where the database stores image data obtained by imaging various areas and extracting at least one piece of image data bearing a predetermined or higher level of resemblance to the first search key (see figs. 8, 10, 11, and 24 – 26; col. 31, line 34 – col. 32, line 7 at least); a search-result output

unit (145 in fig. 26) for outputting the extracted image data (col. 34, lines 40 – 43 at least); and a destination determination unit (GPS unit) for determining position information stored and correlated with image data selected by a user from among the output image data to be a destination (col. 1, lines 14 – 47; col. 8, line 59 – col. 9, line 5; and col. 11, line 57 – col. 12, line 6 at least).

Regarding claims 3, 4, 13, and 14, Ando further teaches the image search unit performs search only for image data correlating with position information specified by travel history information of a vehicle according to an instruction transmitted from the user (col. 10, lines 6 – 40; col. 28, lines 12 – 64 at least).

Regarding claims 5 and 15, Ando further teaches the first search key is input via a removable recording medium to a main body of the navigation system (col. 22, lines 53 – 57 and col. 34, lines 4 – 11 at least).

Regarding claims 6 and 16, Ando further provides for an image to be received by a TV reception device provided in a vehicle (as illustrated in fig.1, Ando's system's vehicle 5 at least includes a camera which receives image data from item 3; note also col. 10, line 57 – col. 11, line 2 at least).

Allowable Subject Matter

Claims 2, 7 –10, 12, and 17 – 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record fail to teach a navigation system comprising, among other limitations, an image search unit which includes a feature-amount extraction unit for extracting a feature amount of the first search key and a matching unit for extracting at least one piece of image data whose feature amount bears a predetermined or higher level of resemblance to the extracted feature amount by comparing the extracted feature amount against a feature amount of each of the image data stored in the image database; an area segmenting unit for extracting an outline of an object included in the first search key and segmenting a predetermined area from the first search key, wherein the image search unit searches across the image database by using image data within the segmented area, as a second key; a character search unit for searching point-determination information that is stored and correlated with the image data stored in the image database by using the recognized character information, as a third search key, and extracting at least one piece of image data whose character information bears a predetermined or higher level of resemblance to the third search key, wherein a search-result output unit provides a plurality of narrowing-down conditions to the user for reducing the number of the extracted image data and outputs image data obtained by

the reduction according to a predetermined condition selected by the user from among the narrowing-down conditions.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. As on PTO-326.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yonel Beaulieu whose telephone number is (571) 272-6955. The examiner can normally be reached on Mon., Wed. & Thur. between 0900 and 1600.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas BLACK can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Yonel Beaulieu
Primary Examiner
Art Unit 3661